

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Lenea H. Borgeson,

Civil No. 14-cv-1072 (JRT/LIB)

Plaintiff,

v.

**REPORT AND RECOMMENDATION**

Veteran's Administration of  
Minneapolis, MN,

Defendant.

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This matter comes before the undersigned United States Magistrate Judge upon the routine supervision of cases that pend before the Court, and pursuant to a general assignment made in accordance with 28 U.S.C. 636(b)(1)(A).

On April 22, 2014, the Court issued an Order denying, at that time, Plaintiff's application for leave to proceed in forma pauperis, [Docket No. 2], and directing Plaintiff to file, by no later than May 16, 2014, an Amended Complaint that satisfies the pleading requirements discussed within the Order. (Order [Docket No. 3], at 5). The Court forewarned Plaintiff that in the event she failed to file said Amended Complaint, the Court would recommend that the action be summarily dismissed without prejudice. (Id.)

On May 5, 2014, the Court granted Plaintiff's request for an extension of time to comply with the Court's April 22, 2014, Order, [Docket No. 3]. The Court ordered Plaintiff to file an Amended Complaint that satisfies the pleading requirements articulated in the April 22, 2014, Order **by no later than Monday, June 2, 2014.** (Order [Docket No. 5]). The Court again forewarned Plaintiff that should she fail to comply with the Court's April 22, 2014, Order,

[Docket No. 3], by June 2, the Court would recommend that the present action be summarily dismissed without prejudice.

To date, the Court has not received an amended complaint from Plaintiff.

For the reasons set forth above, and based on all of the files, records, and proceedings herein, **IT IS HEREBY RECOMMENDED THAT:**

1. The present action be dismissed without prejudice for failure to comply with the Court's Orders at Docket Numbers 3 and 5, and for failure to prosecute.

DATED: June 9, 2014

s/Leo I. Brisbois

Leo I. Brisbois

U.S. MAGISTRATE JUDGE

#### **N O T I C E**

Pursuant to Local Rule 72.2(b), any party may object to this Report and Recommendation by filing with the Clerk of Court, and serving all parties **by June 23, 2014**, a writing that specifically identifies the portions of the Report to which objections are made and the bases for each objection. A party may respond to the objections within **fourteen (14) days** of service thereof. Written submissions by any party shall comply with the applicable word limitations provided for in the Local Rules. Failure to comply with this procedure may operate as a forfeiture of the objecting party's right to seek review in the Court of Appeals. This Report and Recommendation does not constitute an order or judgment from the District Court, and it is therefore not directly appealable to the Court of Appeals.